



ETHERTON LAW GROUP LLC

5555 EAST VAN BUREN STREET
SUITE 100
PHOENIX, AZ 85008

TEL: 602-681-3331
FAX: 602-681-3339

RECEIVED
CENTRAL FAX CENTER

MAY 02 2006

To: United States Patent and Trademark Office
Central Facsimile

Fax: 571-273-8300

Phone:

Re: Notice of Appeal

Appl. No: 10/612,504

Atty File: 206-038

FROM: Sandra L. Etherton, Reg. No. 36,982

FAX: 602-681-3339

PHONE: 602-681-3331

PAGES: 5 including cover

DATE: May 2, 2006

**THE ATTACHED INFORMATION IS CONFIDENTIAL.
PLEASE DO NOT DISSEMINATE TO OTHER THAN ADDRESSEE.**

MAY 02 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/612,504

Filing Date

7/1/2003

First Named Inventor

SHANKS, Steven C

Art Unit

3739

Examiner Name

JOHNSON III, Henry M

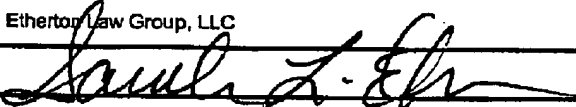
Attorney Docket Number

206-038

ENCLOSURES (Check all that apply)


- | | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | Charge form attached for the following fees: | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | \$250 Notice of Appeal | |
| | \$510 three month extension of time | |
| | \$760 total | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Etherton Law Group, LLC		
Signature			
Printed name	Sandra L. Etherton		
Date	5/2/06	Reg. No.	36982

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Sandra L. Etherton	Date	5/2/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.